



STATE OF NEVADA
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

5587 WA PAI SHONE AVENUE
CARSON CITY, NEVADA 89701
(775) 687-7678 • Fax (775) 687-4911

BRIAN SANDOVAL
Governor

RICHARD P. CLARK
Executive Director

AMENDED NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT 1:30PM ON FRIDAY, NOVEMBER 16, 2012, THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING WILL HOLD A WORKSHOP AND A REGULARLY SCHEDULED MEETING AT THE OFFICE OF PEACE OFFICERS' STANDARDS AND TRAINING, 5587 WA PAI SHONE AVENUE, CARSON CITY, NEVADA.

The agenda will include the following items. The Commission, at their discretion, may take items out of order, combine two or more agenda items for consideration, and remove an item from the agenda or delay discussion relating to an item on the agenda at any time. A request to have an item on the agenda heard out of order shall be made to the Commission's secretary prior to the commencement of the meeting. Prior to the commencement or conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the Commission may refuse to consider public comment. See NRS 233B.126.

I. WORKSHOP OF PROPOSED REGULATIONS

THE PURPOSE OF THIS PORTION OF THE AGENDA IS TO RECEIVE COMMENTS FROM ALL INTERESTED PERSONS REGARDING THE AMENDMENT OF REGULATIONS PERTAINING TO THE NEVADA ADMINISTRATIVE CODE AS THEY RELATE TO THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING.

TOPIC

NAC REGULATION

A. Amend NAC 289.240 which establishes the minimum requirements for a Intermediate Certificate to re-align the education, training, and time of service eligibility requirements for officers. **NAC 289.240**

B. Amend NAC 289.250 which establishes the minimum requirements for a Advanced Certificate to re-align the education, training, and time of service eligibility requirements for officers. **NAC 289.250**

C. Amend NAC 289.230(1)(3) which establishes the requirements for continuing education and resuming duties to include under subsection 1 after an officer completes training the agency shall submit verification of completion of training to the Executive Director by use of electronic format approved by the Executive **NAC 289.230(1)(3)**

Director. Under subsection 3 to include the authority for the executive director to temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that they have complied with the continuing education requirements. The Commission may ratify with final approval at the next regularly schedule Commission meeting.

D. Amend NAC 289.310(1)(6)(7)(8)(9) which establishes the requirement to report certain information for courses above level of basic training to include that an agency or training provider may apply for course certification utilizing the electronic submission format. **NAC 289.310**

Under subsection 6 to include that private vendor must maintain on file and upon request of the Commission or its designee, make available for inspection certain documents outlined under this section.

Under subsection 7 to include for agencies not required to submit courses for certification must still maintain a file and available upon request of the Commission or its designee a roster of attendees, examination results and course evaluations.

Under section 8 to require an agency or training provider whose course has been certified, shall issue a certificate of completion to all peace officer attendees who successfully complete the training. The certificate of completion shall contain the POST Commission certification number, course name, course hours, and date course presented.

An addition of section 9 to require employing agencies whose peace officer attends a certified course shall, upon receipt of a certification of completion report the attendance via electronic form approved by the Executive director for importation into the POST Commission training records.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

1. Call to order.
2. Roll call of Commission members.
3. Commission Chairman Ron Pierini.
 - a. Governor's appointment of Chief Steven Keefer.
4. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Approval of the minutes from July 25 & 26, 2012, POST Commission meeting.

5. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to discuss, receive public comment and take action on whether to start the rulemaking process to develop language for adoption that amends the requirement under NAC 289.240 Intermediate Certificate, NAC 289.250 Advanced Certificate, NAC 289.230 requirements for continuing education and resuming duties and NAC 289.310 requirements to report certain information for courses above level of basic training.

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6. Executive Director's report.

- a. **INFORMATIONAL ITEM** IADLEST - POST Agency Certification Practices.
- b. **INFORMATIONAL ITEM** Basis Training Bureau update.
- c. **INFORMATIONAL ITEM** Professional Development Bureau update: E-Learning & Professional Certificates update.
- d. **INFORMATIONAL ITEM** POST Budget update: Presentation to Governor's Budget Director and Legislative Counsel Bureau.
- e. **INFORMATIONAL ITEM** 1st Quarter Report/Performance Indicators.
- f. **INFORMATIONAL ITEM** Certificates issued.
- g. **INFORMATIONAL ITEM** Courses certified.

7. **INFORMATIONAL ITEM**

Professional Standards Bureau: Update on recently adopted regulations.

8. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

POST Commission to consider a request from Washoe County Sheriff's Office for an Executive Certificate for Assistant Sheriff's Timothy Kunzane.

9. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

POST Commission to consider a request from Washoe County Sheriff's Office for an Executive Certificate for Captain John Spencer.

10. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

POST Commission to consider a request from Las Vegas Metropolitan Police Department for an Executive Certificate for Assistant Sheriff Gregory McCurdy.

11. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

POST Commission to consider a request from Department of Public Safety - Parole and Probation for an Executive Certificate for Captain Robert Ely.

12. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

POST Commission to consider a request from Department of Public Safety - Parole and Probation for an Executive Certificate for Captain Mark Smith.

13. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Request from the Elko County Sheriff's Office for a waiver, pursuant to NAC 289.370, of the NAC 289.230(9) requirement that an officer, whose certificate is in an inactive status for more than 5 consecutive years, must renew their basic certificate by satisfactorily completing a basic training course, passing the state certification examination and passing the state physical fitness examination for Elko County Undersheriff Claire Morris.

14. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

POST Commission to consider whether to approve the reinstatement of Derek E. Neuenschwander's (Department of Public Safety, Nevada Highway Patrol) POST basic certificate that was suspended for non-compliance with the annual twenty four (24) hour continuing education requirements. See, NAC 289.230. The request is based on the officer having come into compliance with the continuing education requirements.

15. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(g) on the suspension of Timothy Nicothodes, formerly of the Las Vegas Metropolitan Department, for a Felony Indictment with Count I: Criminal Endangerment. The Commission will decide whether to suspend Mr. Nicothodes Category I Basic Certification.

16. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

The Commission to discuss, receive public comment and take action on whether to have staff research and report back to the Commission on possible language for a new regulation that would allow the Commission to hold a law enforcement agency accountable for failure to comply with the provisions in NAC chapter 289.

17. PUBLIC COMMENTS.

The Commission may not take action on any matter considered under this item until the matter is specifically included on an agenda as an action item.

18. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Schedule upcoming Commission meetings.

19. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Adjournment.

POSTED AT THE FOLLOWING LOCATIONS:

POST Administrative Office, Carson City
Nevada State Capitol, Carson City
Blasdel State Building, Carson City
Nevada State Library and Archives, Carson City
Grant Sawyer Building, Las Vegas
Carson City Sheriff's Office
White Pine County Sheriff's Office
<http://www.post.state.nv.us/>

Electronically Posted pursuant to NRS 241.020(4)

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Commission on Peace Officers' Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701 or call Scott Johnston at (775) 687-7678, extension 3335, no later than 2 working days prior to the meeting.